

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Moise Azria et al.

Patent No.: 7,384,982

Issued: June 10, 2008

For: DISODIUM SALTS, MONOHYDRATES, AND
ETHANOL SOLVATES FOR DELIVERING
ACTIVE AGENTS

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.322

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted a typographical error which should be corrected.

Inventor MOSISE AZRIA first name is spelled incorrectly. Attached is a copy of the Petition to Correct Inventorship as filed on June 8, 2005 which shows the correct spelling of the inventor's first name. Also attached is a copy of the Declaration signed by inventor Mosise Azria.

The errors now sought to be corrected are inadvertent typographical errors the correction of which does not involve new matter or require reexamination.

Transmitted herewith is a proposed Certificate of Correction effecting such corrections. Patentee respectfully solicits the granting of the requested Certificate of Correction.

No fee is due for the filing of this Request. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: July 11, 2008

Respectfully submitted,

By 
Flynn Garrison

Registration No.: 53,970
DARBY & DARBY P.C.
P.O. Box 770
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(212) 527-7700
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Attorneys/Agents For Applicant

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,384,982
APPLICATION NO. : 10/615,213
ISSUE DATE : June 10, 2008
INVENTOR(S) : Moise Azria et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Cover Page:

Please Delete "Mosise Azria" and Insert --Moise Azria--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Andrew O. Larsen, Esq.
DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770

Customer No.: 0728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 01946/100G906-US2

In re Application of: William E. BAY et al.

Serial No.: 10/615,213 Examiner: Paul J. KILLOS

Confirmation No.: 8060

Filed: July 7, 2003 Group Art Unit: 1625

**For: DISODIUM SALTS, MONOHYDRATES, AND ETHANOL SOLVATES FOR
DELIVERING ACTIVE AGENTS**

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. §1.48(a)

MAIL STOP PETITION
Hon. Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition pursuant to 37 C.F.R. §1.48(a) to correct inventorship of the above-identified patent application. As originally filed, the above-identified application names William E. Bay, Rajesh K. Agarwal, Kiran Chaudhary, Shingai Majuru, Michael M. Goldberg, and JoAnne P. Russo as inventors. The present petition seeks to add Moise Azria, Joseph Murray Ault, Simon David Bateman, Subash Patel, Joseph Sikora, Rebecca Fai-Ying Yang, and Joseph L. Zielinski as inventors.

This petition is supported by the accompanying:

- (a) Declaration of Moise Azria, Joseph Murray Ault, Simon David Bateman, Subash Patel, Joseph Sikora, Rebecca Fai-Ying Yang, and Joseph L. Zielinski, in which the declarants aver that the error in inventorship in the above-identified application occurred through error and without deceptive intention on their part (Tab A);
- (b) copy of Second Preliminary Amendment (not filed) referred to in Tab A (Exhibit A);
- (c) copy of application as filed, referred to in Tab A (Exhibit B);
- (d) Declaration and Power of Attorney executed by all the inventors (Tab B);
- (e) Consent of Assignee Emisphere Technologies, Inc. (Tab C); and
- (f) Assignment from Moise Azria, Joseph Murray Ault, Simon David Bateman, Subash Patel, Joseph Sikora, Rebecca Fai-Ying Yang, and Joseph L. Zielinski to Novartis AG (Tab D).

An assignment from William E. Bay, Rajesh K. Agarwal, Kiran Chaudhary, Shingai Majuru, Michael M. Goldberg, and Joanne P. Russo to Emisphere Technologies was recorded on November 5, 2001 at reel 012378, frame 0316. After executing this Assignment, Joanne P. Russo changed her name to Joanne P. Corvino, and has executed the Declaration in Tab B accordingly.

Applicants note that the Second Preliminary Amendment (Exhibit B) referred to in Tab A was not filed, a revised claim set was instead submitted in an Amendment filed on December 23, 2009. The claim to be added by the Second Preliminary Amendment was added by the

December 23, 2004 Amendment.

The required petition fee of \$130.00 as specified in 37 C.F.R. §1.17(i) is enclosed.

In consideration of the foregoing it is respectfully requested that the Patent and Trademark Office amend the inventorship of this application by adding the names of Moise Azria, Joseph Murray Ault, Simon David Bateman, Subash Patel, Joseph Sikora, Rebecca Fai-Ying Yang, and Joseph L. Zielinski as co-inventors.

Respectfully submitted,

By Jason C. Chumne
Jason C. Chumne
Reg. No. 54,781
Attorney for Applicants

Dated: June 8, 2005

DARBY & DARBY, P.C.
805 Third Avenue
New York, New York 10022
(212) 527-7700

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____
I hereby certify that, on the date indicated above, this paper or fee was
deposited with the U.S. Postal Service & that it was addressed for delivery to
the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450
by "Express Mail Post Office to Addressee" service.

Name (Print)

Signature

Customer No.: 07278

Docket No: 01946/100G906-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William E. Bay et al.

Serial No.: 10/615,213

Examiner: Paul J. Killos

Confirmation No.: 8060

Filed: July 7, 2003

Group Art Unit: 1625

For: DISODIUM SALTS, MONOHYDRATES, AND ETHANOL SOLVATES
FOR DELIVERING ACTIVE AGENTS

DECLARATION OF MOISE AZRIA, JOSEPH MURRAY AULT,
SIMON DAVID BATEMAN, SUBASH PATEL, JOSEPH SIKORA,
REBECCA FAI-YING YANG, AND JOSEPH L. ZIELINSKI

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Moise Azria of Bundesplatz 6, 4054 Basel, Switzerland,
Joseph Murray Ault, 4 Wards Road, Blairstown, NJ 07825,
Simon David Bateman, 4 Farrington Lane, Randolph, NJ 07869,
Subash Patel, 76 East Cliff Street, Apt. # 7, Somerville, NJ 08876,
Joseph Sikora, 16 Toby Drive, Succasunna, NJ 07876,

Rebecca Fai-ying Yang, 7 Hawser Way, Randolph, New Jersey 07869,
and

Joseph L. Zielinski, 53 Beechwood Rd., Florham Park, NJ 07932,
each declare that:

1. The above-identified patent application presently names William E. Bay, Rajesh K. Agarwal, Kiran Chaudhary, Shingai Majuru, Michael M. Goldberg, and JoAnne P. Russo as inventors.

2. I have reviewed and am familiar with (a) the above-identified patent application as filed (attached hereto as Exhibit A) and (b) the pending claims in this application after the filing of the accompanying Second Preliminary Amendment (attached as Exhibit B).

2. I am an inventor of the subject matter presently claimed in the above-identified patent application.

3. The error in inventorship in the above-identified patent application occurred without deceptive intent on my part.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

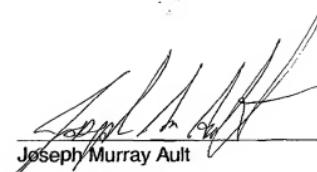
Dated: 26 July, 2004

By:

Moise Azria

Dated: September 10, 2004

By:


Joseph Murray Ault

Dated: _____, 2004

By:

Simon David Bateman

Dated: _____, 2004

By:

Subash Patel

Dated: _____, 2004

By:

Joseph Sikora

Dated: _____, 2004

By:

Rebecca Fai-ying Yang

Dated: _____, 2004

By:

Joseph L. Zielinski

Dated: _____, 2004 By: _____
Joseph Murray Ault

Dated: 9/10, 2004 By: Simon David Bateman
Simon David Bateman

Dated: 9-10, 2004 By: Subash Patel
Subash Patel

Dated: 9/10, 2004 By: Joseph Sikora
Joseph Sikora

Dated: 9/10, 2004 By: Rebecca Fai-ying Yang
Rebecca Fai-ying Yang

Dated: 9/10, 2004 By: Joseph L. Zielinski
Joseph L. Zielinski